

# Exhibit A

**JURY INSTRUCTION # X: Plaintiff Seth Wispelwey's Testimony About "Antifa"**

During yesterday's proceedings, the Court made certain inaccurate statements concerning Plaintiff Seth Wispelwey's testimony in ruling on objections to Defendant Nathan Damigo's testimony about "Antifa."

Reverend Wispelwey testified that he does not "know anyone who identifies as Antifa";<sup>1</sup> that he does not "know what Antifa does";<sup>2</sup> and that the term "Antifa" was simply a "catch all for counter-protestors"<sup>3</sup> at Unite the Right.

As I have previously instructed, it is your duty as the jury to determine the facts based on the testimony and evidence admitted during the trial. Except for my instructions on the law, you should disregard anything I or the lawyers may have said about how to interpret Reverend Wispelwey's testimony during the trial in arriving at your own findings as to the facts.

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<sup>1</sup> Nov. 10 Trial Tr. 102:12.

<sup>2</sup> *Id.* at 128:24.

<sup>3</sup> *Id.* at 68:13-14.